

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MAIN ST. PROPERTIES LLC, a Nebraska  
Limited liability company;

Plaintiff,

vs.

PC BRENT VILLAGE, LLC, a Delaware  
Limited liability company;

Defendant.

8:21CV325

**AMENDED  
FINAL PROGRESSION ORDER**

THIS MATTER is before the Court on the parties' Stipulated Motion to Continue. ([Filing No. 28](#).) The motion is granted. Accordingly,

IT IS ORDERED that the provisions of the Court's previous final progression order remain in effect, and in addition to those provisions, progression shall be amended as follows:

- 1) The trial and pretrial conference will not be set at this time. The Interim Status Conference presently scheduled for April 19, 2022, is canceled. An Interim Status Conference to discuss **case progression and the parties' interest in settlement** will be held with the undersigned magistrate judge by telephone on **January 12, 2023 at 2:00 p.m.** Counsel shall use the conferencing instructions assigned to this case to participate in the conference. ([Filing No. 13](#).)

- 2) The deadlines for moving to amend pleadings or add parties are:

|                       |                          |
|-----------------------|--------------------------|
| For the plaintiff(s): | <b>December 22, 2022</b> |
| For the defendant(s): | <b>February 20, 2023</b> |

- 3) The deadline for completing written discovery under Rules 33, 34, 36 and 45 of the Federal Rules of Civil Procedure is **March 27, 2023**. Motions to compel written discovery under Rules 33, 34, 36 and 45 must be filed by **April 10, 2023**.

**Note:** A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

- 4) The deadlines for identifying expert witnesses expected to testify at the trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

|                       |                      |
|-----------------------|----------------------|
| For the plaintiff(s): | <b>May 22, 2023</b>  |
| For the defendant(s): | <b>July 22, 2023</b> |

- 5) The deadlines for complete expert disclosures<sup>1</sup> for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:
- |                       |                      |
|-----------------------|----------------------|
| For the plaintiff(s): | <b>May 22, 2023</b>  |
| For the defendant(s): | <b>July 22, 2023</b> |
- 6) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is **November 4, 2023**.
- The maximum number of depositions that may be taken by the plaintiffs as a group and the defendants as a group is 16.
  - Depositions will be limited by Rule 30(d)(1), except as follows: 30(b)(6) depositions which may total 10 hours and may be taken over the course of more than one day.
- 7) The deadline for filing motions to dismiss and motions for summary judgment is **December 9, 2023**.
- 8) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **November 24, 2023**.
- 9) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 10) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 30th day of March, 2022.

BY THE COURT:

s/ Susan M. Bazis  
United States Magistrate Judge

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<sup>1</sup> While treating medical and mental health care providers are generally not considered “specially retained experts,” not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert’s treatment records and reports must be separately and timely disclosed.